



REMARKS/ARGUMENTS

Re-examination and favorable reconsideration in light of the above amendments and the following comments are respectfully requested.

Claims 1 - 21, 24 - 30, and 32 - 42 are pending in the application. Currently, all claims stand rejected.

By the present amendment, claims 1 - 11, 14, 21, and 36 have been cancelled without prejudice and claims 12, 17, 24, 32 - 35, and 37 - 42 have been amended. New claim 43 has been added to the case.

In the office action mailed December 30, 2005, claims 1 - 5, 7 - 21, 32 - 36, and 38 - 42 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,183,197 to Howe; claims 1 - 5, 7 - 21, 32 - 36, and 38 - 42 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,536,773 to Datta; claims 1 - 4, 7 - 10, 12 - 15, 17 - 20, 32 - 35, and 38 - 41 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,681,486 to Flower; claims 6, 24 - 29, and 37 were rejected under 35 U.S.C. 103(a) as being unpatentable over Howe in view of U.S. Patent No. 5,106,104 to Atkinson; and claim 30 was rejected under 35 U.S.C. 103(a) as being unpatentable over Howe in view of Atkinson in view of U.S. Patent No. 5,496,045 to Millener.

The foregoing rejections are traversed by the instant response.

The application as amended now contains four independent claims - namely, claims 12, 24, 32, and 43. Claim 12 calls for a method of making bristle arrangements for subsequent use in a brush seal. The method comprises the steps of: arranging a plurality of tufts of bristles each having a bead at one end within a fixture; said arranging step comprising placing each

said tuft in the fixture in a skewed fashion relative to a line extending radially from a center of the fixture; said arranging step further comprising placing each said tuft in said fixture so that a portion of the bristles forming each tuft with said bead project from said fixture to form a plurality of exposed portions; and joining said exposed portions together so as to form said bristle arrangements. It is submitted that none of Howe, Datta, and Flower teach or suggestion the steps now set forth in claim 12. None of these references teach the arranging steps set forth in claim 12 as well as the joining step set forth in the claim. Thus, claim 12 is allowable over these references.

Claims 13 and 15 - 20 are allowable for the same reasons as claim 12 as well as on their own accord.

Claim 24 has been amended to be directed to a method of making a brush seal having multiple stages, comprising the steps of: providing discrete plates and discrete bristle arrangements within a fixture; creating a stack of said discrete plates and discrete bristle arrangements to define said multiple stages of said brush seal within said fixture; and simultaneously joining said stack of said discrete plates and said discrete bristle arrangements to create said brush seal. Neither Howe nor Atkinson teach or suggest providing discrete plates and discrete bristle arrangements within a fixture, creating the claimed stack, and simultaneously joining the stack of discrete plates and discrete bristle arrangements to create the brush seal. It should also be noted that Millener does not cure the deficiencies of Howe and Atkinson.

Claims 25 - 31 are allowable for the same reasons as claim 24 as well as on their own accord.

Claim 32 as amended is directed to a brush seal comprising at least one bristle arrangement, each said bristle arrangement comprising a plurality of bristles arranged in a length and held together by a joint extending along said length, a back plate, and at least one additional plate, and said back plate, said at least one additional plate, and said joint being welded together at a single time so as to form a unitary brush seal structure.

It is submitted that none of Howe, Datta, and Flower teach or suggest a brush seal where a back plate, at least one additional plate, and a joint are welded together at a single time so as to form a unitary brush seal structure. While Howe shows two plates and bristles welded together by a weld (18), it does not show a back plate, at least one additional plate, and a joint, that is used to hold a plurality of bristles together, welded together. There is a subtle distinction. Datta suffers from a similar deficiency. Flower lacks the claimed plates.

Claims 33 - 35 and 37 - 42 are allowable for the same reasons as claim 32 as well as on their own accord.

Claim 43 is allowable because none of the cited and applied references teach or suggest the claimed multiple stage brush seal.

For the foregoing reasons, the instant application is believed to be in condition for allowance. Such allowance is respectfully solicited.

Should the Examiner believe an additional amendment is needed to place the case in condition for allowance, she is hereby invited to contact Applicants' attorney at the telephone number listed below.

No fee is believed to be due as a result of this response.  
Should the Director determine that a fee is due, he is hereby  
authorized to charge said fee to Deposit Account No. 21-0279.

Respectfully submitted,

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I, Nicole Motzer, hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on **March 30, 2006**.

